

JOHN J. SURRE,

Plaintiff, : **SUPREME COURT OF**
: **NEW YORK**
: **NEW YORK COUNTY**
V. :
: INDEX NO. 112820-07
FOSTER WHEELER LLC, ET AL.
Defendants.

NOTICE OF NOTICE OF REMOVAL

TO THE HONORABLE JUDGE OF THE SUPREME COURT:

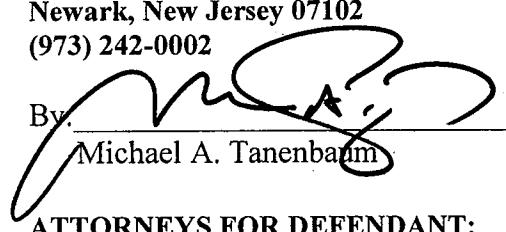
Please take notice that Defendant's Notice of Removal of the above-entitled action from the Supreme Court of the State of New York, New York County, to the United States District Court for the Southern District of New York, (a copy of which Notice [without exhibits] is attached as Exhibit "A") was duly filed in the United States District Court for the Southern District of New York, on the day of October, 2007.

Defendant Foster Wheeler, L.L.C., upon filing of Defendant's Notice of Removal and a copy of the Notice with the Clerk of the state court, has effected this removal in accordance with 28 U.S.C. § 1446(d). This Court is respectfully requested to proceed no further in this action, unless and until such time as the action may be remanded by order of the United States District Court.

Respectfully submitted,

Sedgwick, Detert, Moran & Arnold LLP
Three Gateway Center, 12th Floor
Newark, New Jersey 07102
(973) 242-0002

By:


Michael A. Tanenbaum

ATTORNEYS FOR DEFENDANT:
FOSTER WHEELER, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to Plaintiff's counsel via hand delivery and all known counsel of record via regular mail on this 22nd day of October, 2007.

Via Hand Delivery

Chris Romanelli, Esq.
WEITZ & LUXENBERG
180 Maiden Lane
New York, New York 10038-4925
(212) 558-5500
ATTORNEYS FOR PLAINTIFF

All Known Defense Counsel (via regular mail)



Michael A. Tanenbaum